

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

GLOBAL MARINE SYSTEMS LIMITED,

Plaintiff,

v.

Case No.: 05-11605 RGS

TYCO TELECOMMUNICATIONS (U.S.)  
INC., TRANSOCEANIC CABLE SHIP CO.  
INC.,

Defendants.

**DECLARATION OF GABRIEL RUHAN**

I, Gabriel Ruhan, declare the following:

1. I am the Managing Director of plaintiff Global Marine Systems Limited ("Global Marine"). I have served as Global Marine's Managing Director since the summer of 2004. I make this declaration in support of Plaintiff's Opposition to Defendants' Motion for a Protective Order Barring Plaintiff's Managing Director (Mr. Gabriel Ruhan) from Accessing Defendants' Confidential Information.


2. I have read the Stipulated Protective Order entered in this case ("Protective Order") and understand all of its terms. I understand that should I receive "Confidential" information produced by Tyco in this case, I may not use it for any purpose unconnected with the prosecution of this lawsuit and I may not disclose the information in any form to third parties or other employees of Global Marine. I fully intend to comply with the terms of the Protective Order.

3. As Managing Director of Global Marine, I am generally responsible for implementing and overseeing the company's business plan. However, I am not in any way directly involved with scientific research or patent prosecution on behalf of the company.

4. While Global Marine is one of the largest independent providers of submarine cable installation and maintenance services, Global Marine remains a relatively small company compared to its competitors (such as Tyco Telecommunications (US) Inc. and Transoceanic Cable Ship Co. Inc.). The number of high-level executives with financial experience and decision-making authority on behalf of the company is small. Besides myself, only Andy Ruhan, the Chairman of the Board, and Peter Ford, Global Marine's Chief Executive Officer, have authority to make decisions on behalf of the company related to this lawsuit. Phil Hart, our Engineering Director, does not have such authority, nor is he responsible for the general management of Global Marine. Unfortunately, both Andy Ruhan and Peter Ford, like myself, are responsible for managing all aspects of Global Marine's business.

5. It is very important for me to be able to communicate effectively with our retained counsel in this lawsuit. In order to do so, I need to see general business and technical information provided by Tyco in this lawsuit. It is important to the company to have at least one high level executive assess the strengths and weaknesses of the parties' respective positions and evaluate how much the case is worth monetarily. It would be very difficult for me to justify a potential disposition of this case to the Board of Directors without being able to represent that my recommendation was based on at least some actual information that I have reviewed as opposed to general discussions I have had with our counsel.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this  
7<sup>th</sup> day of September, 2006.

  
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Gabriel Ruhan